

### **REMARKS**

This responds to the Office Action mailed on August 10, 2009.

Claim 18 is amended, claim 19 is canceled, and claims 47-48 are added; as a result, claims 1-3, 6-12, 15, 18, 20, 24-26, 30-36, 40-42, and 46-48 are pending in this application.

#### **Allowable Subject Matter**

Claims 1-3, 6-12, 15, 18-20, 24-26, 30-36, 40-42 and 46 were allowed. The Examiner is sincerely thanked for his careful examination of the present application and for making time for the undersigned attorney for the one or more Examiner Interviews.

The Examiner has also objected to claims 19 and 20 as depending from a rejected base claim, but indicated that the claims would be allowable if the claims were rewritten in independent form, including all of the intervening claims. Accordingly, claim 18 is presently amended to incorporate the limitations of claim 19, and claim 19 is cancelled without prejudice. New independent claim 47 is former claim 18 that includes the limitations of claim 20. Claim 47 is therefore now in allowable form. Claim 48 is former claim 19 that is amended to depend from claim 47. Claim 48 is therefore also allowable.

The undersigned submits that the foregoing amendments are offered only to expedite the allowance of subject matter that the Examiner has indicated as allowable, and does not constitute an admission that any of the claims are unpatentable in view the prior art of record. Applicants therefore reserve the right to introduce any of the present claims in non-amended form, in any continuation, divisional or continuation-in-part application.

Rejections under

#### **Reservation of Rights**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they

constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

### CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (612) 373-6900 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date

11/10/2009

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 10, 2009.

Name

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Signature

